

Agricultural Marketing Service, USDA

§ 97.177

§ 97.155 Signatures.

Every document filed by an attorney or agent representing an applicant or party to a proceeding in the Office shall bear the signature of such attorney or agent, except documents which are required to be signed by the applicant or party.

§ 97.156 Addresses.

Attorneys and agents practicing before the Plant Variety Protection Office shall notify the Office in writing of any change of address. The Office shall address letters to any person at the last address received.

§ 97.157 Professional conduct.

Attorneys and agents appearing before the Office shall conform to the standards of ethical and professional conduct, generally applicable to attorneys appearing before the courts of the United States.

§ 97.158 Advertising.

(a) The use of advertising, circulars, letters, cards, and similar material to solicit plant variety protection business, directly or indirectly, is forbidden as unprofessional conduct, and any person engaging in such solicitation, or associated with or employed by others who so solicit, shall be refused recognition to practice before the Office or may be suspended, excluded, or disbarred from further practice before the Office.

(b) The use of simple professional letterheads, calling cards, or office signs, simple announcements necessitated by opening an office, change of association, or change of address, distributed to clients and friends and insertion of listings in common form (not display) in a classified telephone or city directory, and listings and professional cards with biographical data in standard professional directories, shall not be considered a violation of this section.

FEES AND CHARGES

§ 97.175 Fees and charges.

The following fees and charges apply to the services and actions specified below:

(a) Filing the application and notifying the public of filing—\$320.00.

(b) Search or examination—\$2,385.00.

(c) Allowance and issuance of certificate and notifying public of issuance—\$320.00.

(d) Revive an abandoned application—\$320.00.

(e) Reproduction of records, drawings, certificates, exhibits, or or pointed material (copy per page of material)—\$1.10.

(f) Authentication (each page)—\$1.10.

(g) Correcting or re-issuance of a certificate—\$320.00.

(h) Recording assignments (per certificate/application)—\$28.00.

(i) Copies of 8×10 photographs in color—\$28.00.

(j) Additional fee for reconsideration—\$320.00.

(k) Additional fee for late payment—\$28.00.

(l) Additional fee for late replenishment of seed—\$28.00.

(m) Appeal to Secretary (refundable if appeal overturns the Commissioner's decision)—\$3,050.00.

(n) Granting of extensions for responding to a request—\$55.00.

(o) Field inspections by a representative of the Plant Variety Protection Office, made at the request of the applicant, shall be reimbursable in full (including travel, per diem or subsistence, and salary) in accordance with Standardized Government Travel Regulations.

(p) Any other service not covered above will be charged for at rates prescribed by the Commissioner, but in no event shall they exceed \$66.00 per employee-hour.

[65 FR 47244, Aug. 2, 2000]

§ 97.176 Fees payable in advance.

Fees and charges shall be paid at the time of making application or at the time of submitting a request for any action by the Office for which a fee or charge is payable and established in this part.

§ 97.177 Method of payment.

Checks or money orders shall be made payable to the Treasurer of the United States. Remittances from foreign countries must be payable and immediately negotiable in the United